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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,123	10/30/2001	David D. Faraldo II	05220.P004	7352

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/020,123	Applicant(s) FARALDO, DAVID D.	
	Examiner Etienne P LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-23, 25-38, 40-48, 50-54, 57 and 58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-23, 25-38, 40-48, 50-54, 57 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Status

Claims 1-3, 5-23, 25-38, 40-48 and 50-54, 57 and 58 are pending; claims 4, 24, 39 and 49 are cancelled and claims 55 and 56 are not entered. Claims 1-3, 5-23, 25-38, 40-48, 50-54, 57 and 58 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-15, 18, 21-23, 25-29, 31, 34, 36-38, 40, 41, 45-48, 50, 57 and 58 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,012,088 (Li et al), hereafter Li.

Claims 1, 15, 21, 34, 45 and 58:

Li discloses:

validating [assembles customer information and inputs it into an ISP database, col 9, lines 25-60] configuration information pertaining to alert messages [system administration module 228, Fig 6, col 8, line 55 through col 9, line 10, automated software updates, col 5, lines 1-5] to be sent to a plurality of destinations [Internet customer 50, Fig 2, col 5, lines 40-55] the configuration information being specified by a user [customer information comes from the customer, col 9, lines 50-60]

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storing the configuration information in a database [ISP database, col 9, lines 50-65]

extracting at least a subset of the configuration information from the database based on an extraction parameter identifying one of a plurality of business sites [generating configuration file for a customer, col 9, lines 50-65, corporate user, col 5, line 45]

generating a text-based configuration file containing the extracted configuration information [flat text file col 9, line 65 through col 10, line 5]

Claims 2, 22, 36 and 46:

Li discloses wherein the configuration information includes configuration keyword information recognizable by a messaging application [email server 212, Fig 6, col 8, lines 35-50]

Claims 3, 23, 38 and 48:

Li discloses wherein the database is a relational database [col 9, line 50]

Claims 5 and 25:

Li discloses configuring a messaging application using the configuration file [email server 212, Fig 6, col 8, lines 35-50]

Claims 6, 14, 26 and 41:

Li discloses periodically generating additional text-based configuration files according to a schedule [when a customer determines a desire for a connection, col 9, lines 25-30]

Claims 7, 27 and 57:

Li discloses wherein the database includes configuration information for the plurality of business sites across a plurality of networks [Figs 1 and 2]

Claims 8 and 28:

Li discloses wherein the configuration information is used by at least one messaging application to transmit a message to a destination [email server 212, Fig 6, col 8, lines 35-50]

Claims 9, 29, 37 and 47:

Li discloses wherein the configuration information includes a contact [IP address, col 9, lines 40-45]

Claim 10:

Li discloses wherein the configuration information includes a contact method [col 9, lines 40-50]

Claim 11:

Li discloses wherein the configuration information includes a method type [col 9, lines 40-50]

Claim 12:

Li discloses wherein the configuration information includes a contact group [range of addresses, col 9, lines 40-45]

Claim 13:

Li discloses wherein the configuration information includes a contact group member [col 9, lines 40-45].

Claims 18, 31, 40 and 50:

Li discloses compiling the configuration file into a compiled file at a later time [col 9, lines 50-60]

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claim 1 above, and further in view of US Pat No 7,145,898 (Elliott), hereafter Elliott.

Claim 16:

Li discloses the elements of the invention as noted above but does not disclose wherein the configuration information includes a pager type. Elliott discloses a pager type [Fig 19F and as below]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Li to include pager type as taught by Li for the purpose of sending a text message.

Elliott discloses:

In an embodiment, the order entry system 1945 generates complete profile information for a given telephone number, including, name, address, fax number, secretary's number, wife's phone number, pager, business address, e-mail address, IP address and phonemail address. This information is maintained in a database that can be accessed by everyone on the network with authorization to do so. In an alternate embodiment, the order entry system utilizes a web interface for accessing an existing directory service database 1934 to provide information for the profile to supplement user entered information.

Claims 17, 30, 43 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claims 1, 21 and 34 above, and further in view of US Pat No 6,²66,661 (Lewish et al), hereafter Lewish.

Claims 17, 30, 43 and 53:

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Li discloses the elements of the invention as noted above but does not disclose at least one include file for a plurality of sections within the configuration file. Lewish discloses at least one include file for a plurality of sections within the configuration file [Fig 4, 410, col 4, lines 25-55]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Li to include at least one include file for a plurality of sections within the configuration file as taught by Lewish for the purpose of creating a common set of configuration data.

Claims 19, 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claims 1, 21 and 34 above, and further in view of US Pat No 6,327,628 (Anuff et al), hereafter Anuff.

Claims 19, 32 and 35:

Li discloses the elements of the invention as noted above but does not disclose updating the configuration information stored in the database through a portal. Anuff discloses updating the configuration information stored in the database through a portal [col 5, lines 60-65]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Li to include updating the configuration information stored in the database through a portal as taught by Anuff for the purpose of allowing the portal provider to use existing implementations or define their own [col 5, lines 60-65].

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Claims 20, 33, 44 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claims 1, 21 and 34 above, and further in view of US Pat No 6,519,642 (Olsen et al), hereafter Olsen.

Claims 20, 33, 44 and 54:

Li discloses the elements of the invention as noted above but does not disclose wherein the extracting is performed over a secure communication pathway. Olsen discloses wherein the extracting is performed over a secure communication pathway [col 1, lines 55-60]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Li to include wherein the extracting is performed over a secure communication pathway as taught by Olsen for the purpose of preventing eavesdropping [col 1, lines 55-60].

Claims 42, 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to claims 34, 40 above, and further in view of US Pat No 7,127,535 (Huebsch et al), hereafter Huebsch.

Claims 42, 51 and 52:

Li discloses the elements of the invention as noted above but does not disclose wherein the scheduling tool is at least one from a group consisting of a windows scheduler on a unix cron. Huebsch discloses the scheduling tool is at least one from a group consisting of a windows scheduler on a unix cron [Fig 5]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Li to include the scheduling tool is at least one from a group consisting of a windows scheduler on a unix cron as taught by Huebsch for the purpose of controlling the configuration and usage of the server hardware and software resources.

Response to Arguments

Applicant's arguments filed 3/6/2007, have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday, 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-2800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux
3/30/2007

Etienne P LeRoux
Primary Examiner